App F IX 4

Previous References
L93-57-9,10

19 57-58
ML)

File No 92-57
Serial Nos 77,78
97, 98

Later References
~~ML 93-57-9-10~~
ML 91-58-64
ML 88-53-428, 479
L 100-57, 11,12
ML 2441 55-4

Serial Nos 4

GENERAL AND REVENUE SECRETARIAT

Part B for Sept 58

SUBJECT

Inclusion of Tawang and Mangpoo in Schedule II to the Mysore Town Municipal Act 1951

L 9079/ML 92-57-98 Pg 11-9-58

121

The Dc. Kolar - LD

Clarification

Copy 1) Con-7 L-5 4
2) Dcs of other Dts
3) C, S & D

[R S APP F III—1]

ML Dept No 421/51

GENERAL AND REVENUE SECRETARIAT

(ML Br)

NOTES

File No 3592/ML (1)

FILE HEADING

Inclusion of Tamarind and Mangoes in the list of Octroiable articles under Schedule II of the Mysore Town Municipalities Act 1951

FROM From The President, Town Municipal Council, Srinivasapur

No MLC 14/51-52 Dated 28th August 1951 Received

Diary No | Enclos | Spare copies | Serial No

BRIEF ABSTRACT OF LETTER

Requests that Tamarind and Mangoes may be included in the list of Octroiable goods, in the Schedule II to the T M Act 1951, The maximum rates being Re 1/- as under am

NOTES AND ORDERS

E

1) Collection Rs 92-49-51852 leading to the issue of the G O no L1261-2 of the 3rd May 50 Sanctioning the levy of octroi on Tamarind and Mangoes in Srinivasapur Town Municipality as put up herein

2) Reference is invited to the discussions at Paras 8 to 20 in that file

3) Then also the levy of octroi on these articles was sanctioned though the articles were not included in the list of dutiable articles in the Schedule VIII under The Town Municipalities Act 1933 (Schedule V)

NOTES—First Sheet

WD 010865—GPB—20 000—2-8-50

Inclusion of Tamarind and mangoes in the list of chargeable articles under Schedule II of the TM Act 17

File No 3592/01 of 195 | General and Revenue Secretariat

and that they were brought under class VIII of the above Schedule

4) There is no provision under the Town Municipalities Act 1951 to levy octroi on these goods

5) ~~Do the circumstances stated by the Municipal Secretary in his~~ request to include Tamarind and mangoes in Schedule II of the said Act at a maximum rate of Rs 2% ad valorem is for orders It involves legislation

DAS 12/9 The request may be turned down

PJP 12/9

b) There two articles may be added to Schedule II of TM Act 1957 by legislation

Secy (LSG) 13/9/57.

No 6542 Date 15/9/57

7) It is too early to amend the TM Act except to remove certain difficulties as arising in the transitional period

Jun LSG) 15/9

Revd 15/9/57

18/9/54 18/9/57

OFFICE OF THE MINISTER FOR LOCAL SELF-GOVERNME No 3046 Date 17/9/57

Inclusion of Damarind and Haugoes in Schedule II of the T M Act 1951

3592/M1/2334/1875-2445/13

9) If approved the Ml Pdt Srinivasapuram will be intimated that ~~the proposal~~ it is not possible to consider the proposal at present

A Dft letter put up for approval

KAB 25/9

10) Issue

25/9/51

25/9 Sd/-

To

The Pdt T M C,
Srinivasapuram
No L6957/M1 92-51-78
29/4/51

Stating that the proposal cannot be considered at present

Copy no L6958 dt 29/4/51
To the Commissioner

~~Dept~~

From The Pdt Town Municipal Council
Srinivasapuram
No MLC 14/51-52 dt 22/6/52

~~The Deputy Commissioner~~
~~Madras~~
~~Dt~~

Regarding the inclusion of Damarind and Haugoes in Schedule II of the Town Municipalities Act 1951

11) The Pdt ~~Board~~ for perusal the Municipal President requests that Damarind and Haugoes may be included in Schedule II to the T M Act 1951 as the income from these items was Rs 2000/- PA and that the non inclusion will be a great loss to the Municipality. But the Deputy Commr states that these items cannot be included in the Bye-laws regulating

Inclusion of Tamarind and Mangoes in Schedule II of the T M Act 1951

3592/M/52334

(12) regulating the levy of octroi based upon the model Bye-laws to be issued by the Govt (This was in connection with his recommendation for sanctioning the reduction of the octroi rate on mangoes in Srinivasapur Town file no 2145 which has been now seperated)

(13) In view of the orders already passed in the matter at paras 7 & 8 the proposal is for orders

There was three papers from 3 7-52

(14) In connection with a question of levying octroi on wool, the Law Secretary had observed that octroi can be levied on articles which they are not included in the schedule. Putup that Collection

(15) The M collection 93-51-9210 Regarding the levy of octroi on wool in Kolar Town is put up herewith

(16) Why can we not take action on the lines suggested there in

Note sheets continued

Why?

(17) According to the opinion given at A of para 17 of the notes of the M collection 93 51-9210, by the Law Secy, there seems to be no legal bar to continue levy of octroi on Tamarind and Mangoes under the M(T) Act 1951

Inclusion of Jamanad and Kaugoes in Schedule II to the Hyderabad Municipalities Act 1951 — 2334/M (5)

by Srinivasappa Tank Mohalla at the rates which prevailed under the rules in force prior to the new Act coming into force even though these articles are not included in the Schedule II to the Hyderabad M Act 1951.

17) As this is an old levy and the proposal is intended to the continuance of this levy there doesn't appear to be any need for inclusion of these items in the Schedule II of the new Act as suggested which means an amendment of the Act

KAS 6/8 SR 7/8

18) It is better to consult Law Secy once again whether the Octroi Octroi on Jamanad & Kaugoes

7/8

Secy (L&J)

19) For favour of Speech 7/8/52

Law Secy) 7/8

20) I have nothing further to say to what I have already said in para 16 of H' Tch 93 of 1951 (Srinivasappa) Schedule II of the T.M. Act, 1951 prescribes only maximum rates for animals therein mentioned therein, but it cannot be taken to mean that under Rule 61 (20) a Municipality cannot levy octroi on other articles not mentioned in Schedule II

Secy (L&J) 8/8

Inclusion of Jamarund and Kanjoor
in Schedule II of the D.M. Act, 1957
2334/M1 & 3620/M

21) A draft letter on the basis of para 20 above and ~~para~~ A in Para 17 of the HI circular 93-51-(9810), is put up for approval.

This may be sent to the Hon'ble S.G, if he before issue

Secy (DSJ) 22) 24/9

23) Issue typed
3/9/12
24/9

KAB 2/9 SR 2/9

To The DC Kolar Dist
No L9079/M1 92-51-98 dt 11/9/92
clarifies the position regarding the levy of Octroi on goods not included in Schedule II to the D M Act 1951
Copies No L9080-90 dt 11/9/92
To 1) the Commr for L S G
2) the D C's of Other Dists
3) the C-S A

24) Results after issue of orders as per para 23 above

KAB 11/9 SR 12/9

Secy (DSJ) 25) 11/9

26) Issue typed
14/9/92
11/9

Issue Hindi & Urdu) 27) 19/9/92
19/9/92
19/9

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
15 SEP 92
No 3705

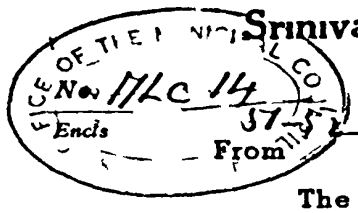
Sum The DC Kolar
No AS C 1212/91 S1
Requests early orders

28) Orders in the matter has already been issued vide paras 21 & 23 above. Hence no further action as the P W D is necessary. Submitted -

yes Record this

KAB 19/9 SR 19/9

Srinivaspur Town Municipality



Date 28 8 51

Ml 92-51-77

The President
Town Municipal Council
SRINIVASPUR

To The Secretary
L S G Department
Bangalore

Sub — Inclusion of Jamarud and mangoes in the list of octroi able articles under schedule II of the Municipal act XXII of 1951

Sir

I wish to state that levy of octroi was sanctioned for this Municipality under GO No L 1261-2/ Ml 92-49-52 dated Bangalore the 3rd May 1950 at rates Rs 2/ on mangoes and Rs 1\ on Jamarud advoleram This fresh levy formed a fair portion of municipal income viz nearly Rs 2000/- per year by both the commodities But to the misfortune of this Municipality and of those who have had such a facility, I see that these items are not included in the schedule II of this Municipal act XXII of 1951

whatever might be the reason for this omission, this tells hard at the fair income of this Municipality with meagre resources as it has The merchants and the General public have been unhesitatingly paying this octroi to this Municipality ever since its levy unfortunately I do not find any other income to substitute this heavy loss to this Municipality, if this defect of omission is not kindly remedied

As such in the best intrest of the Municipality I request that these two items of Tamarind and Mangoes may kindly be arranged to be included in the list of retro able goods under schedule II to the Municipal act XXII of 1951, The Maximum rate of levy Rs 2/- Advoleram

Yours faithfully

2/8

Copies to

1) The R D Commissioner, Bangalore
and
2) The Deputy Commissioner Kolar
with reference to his No A5 C 996/Reg 50
of 8 5 1951, for his information

2/8

Town Magistrate
of 2 8 1951

To:

GOVERNMENT OF MYSORE

General and Revenue Secretariat

No L. 6957/mu 92 51 78 Dated Bangalore 4 September 1951
4 to 51

From

The Secretary to the Government of Mysore
in the L S G Department
Bangalore

To

The President,
Town Municipal Council,
Srinivasapur

Sir

Subject - Inclusion of tamarind and mangoes in the list of Octroiable articles under Schedule II of the Municipal Act XXII of 1951-

With reference to your letter No MLC 14/51-52 dated the 28th August 1951, on the above subject, I am directed to state that it is too early to amend the Town Municipalities Act 1951 and hence your request cannot be sanctioned

Yours faithfully,
Sd V Hanumanthappa,

For Secretary to Government,
L S G Department

Memo No L 6958 4 to 51

Copy of the above together with a copy of the letter No MLC 14/51-52 dated the 28th August 1951 of the President Town Municipal Council, Srinivasapur, is forwarded to the Commissioner for Local Self-Government in Mysore, Bangalore for information

Hanumanthappa 2/9/51

For Secretary to Government,
L S G Department

KAS

4 SL

Jr L S G Sec

No L /MI ~~92-51-78~~

L 6957/MI 92-51-78

4 to 57

Do

The Pdt,
Town Municipal Council,
Srinivasapuram

3592/MI

Sir,

Subject – Inclusion of Tamarind and Mangoes in the list of Octroiable articles under Schedule II of the Municipal Act XXII of 1951

With reference to your letter No MLC 141/51-52 of the 28th Aug 1951 on the above subject, I am directed to state that ~~the~~ ~~Proposals made~~ suggested by you therein it is not possible to consider the proposals made by ~~there~~ you there on at present

that it is too early to amend the M I Act 1951 on these lines

Your request cannot be sanctioned

Yours faithfully
2528
for L S G Secy.

6958 L to 57

Copy of the above together with a copy of the letter No MLC 141/51-52 of the 28th Aug '51 of the Pdt. T M C, Srinivasapuram is forwarded to the L-S G Cell for information

2528
for L S G Secy

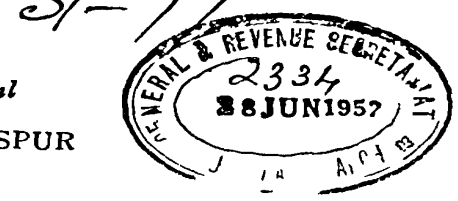
cyclostyle

Srinivaspur Town Municipality

No ML C 14-2 Date 22-6-1952
Encls One only 57-52
From

ML 92. 51-97

The President
Town Municipal Council
SRINIVASPUR



To

The Secretary
Local Self Govt-Department
Govt of Mysore BANGALORE

Sub — Inclusion of Jamend and Mangoes in the list of Octroiable articles under Schedule II of the Municipal Act XXII of 51

Sir

SiKAs

In inviting your kind Reference to Your No L 6957/ML 92 51 78 of 4 10 51 Stating that it was too early to amend the Town Municipalities Act 1951 in Reply to my Request that the Said two items of articles must be included in the Schedule of articles vide my No ML C 14/51-52 dated 26-8-51 I wish to State that of at least by way of amendment, these two articles are not included in the list of octroiable articles the Municipality will be deprived of a fair income of nearly Rs 2000/- per year which means a heavy loss for a Smaller Municipality of this type More Specially under the present financial crisis, with increasing expenditure and decreasing income, the administration becomes very difficult to Run

The Municipal Council having Considered all these has Resolved to Request the Govt kindly to enlist the Said Two items of articles in the list- The copy of the Resolution No IX of 18 6 52 is

is enclosed for kind Reference

These are the Sanctioned items in force which have been for no reason omitted in the Schedule II of the New Act In my humble opinion this is a most fit case for inclusion in the list of octorable articles at least by way of an amendment

As such I Request that the Generous Popular Government may kindly be Recommended for causing the Inclusion of the said two items in the list in the best interest of the Municipality

Yours faithfully

22/6

B L NARAYANSWAMY
President
Town Municipal Council
Srinivaspur

P&G Sd 22/6

Rd 22/6

GOVERNMENT OF MYSORE

General and Revenue Secretariat

ಸ ಆಇಸ 1mL 92-51-98 Bangalore dated 11th September 1992

Extract from the Approved general Meeting proc
Channapatna Town Municipality held on 18 6 52 at 8 30 PM
in the Municipal Office Channapatna

No of Councillors present 9 No of Councillors absent 6 vide 15

Sl No	Subject	Resolution
IX	ಪಾರಿಂಪತ್ಯಿಕ ಮತ್ತು ಸಾಂಪ್ರದಾಯಿಕ ಮಹತ್ವವುಳ್ಳ ಪಟ್ಟಿ ಅಯ್ದು ಆಕ್ಷೇಪಣೆಗಳನ್ನು ವಿಧಿಸಬಹುದಾದ ಪದಾರ್ಥಗಳ ಪಟ್ಟಿ ಅಯ್ದು ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸುವ ಮತ್ತು ಸದರಿ ಪದಾರ್ಥಗಳ ಮೇಲೆ ಸುಂಕವನ್ನು ವಿಧಿಸಲು ಸರ್ಕಾರದವರನ್ನು ಪ್ರಾರ್ಥಿಸುವ ವಿಷಯ	ಈ ಎರಡು ಪದಾರ್ಥಗಳನ್ನು ಪಟ್ಟಿ ಅಯ್ದು ಸೇರಿಸಲ್ಪಡದೇ ಇದ್ದಲ್ಲಿ ಮುಂಚಾ ಅನಕ್ಷೇಪಣೆಯನ್ನು ಸೇರಿಸಲ್ಪಡದೇ ಇದ್ದಲ್ಲಿ ಕಾಲಾವಧಿಯನ್ನು ಅಂತ್ಯಗೊಳಿಸಿ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸುವುದಕ್ಕೆ ಆದೇಶ ಮಾಡಲು ಈ ಎರಡು ಪದಾರ್ಥಗಳನ್ನು ಪಟ್ಟಿಯಲ್ಲಿ ಸೇರಿಸಲ್ಪಡದೇ ಇದ್ದಲ್ಲಿ ಸುಂಕವನ್ನು ವಿಧಿಸಲಾಗದು ಎಂಬ ವಿಷಯವನ್ನು ಸರ್ಕಾರದವರಿಗೆ ತಿಳಿಸಲಾಗಿದೆ ಎಂಬ

'Copy'

Sd/- B L Narayana swamy
President
18/6/52

Sd/-
Secretary

Attested
Town Municipal Council

GOVERNMENT OF MYSORE

General and Revenue Secretariat,

No.L. 9079/mc 92-51-58 Bangalore dated 11th September 1952

NOTIFICATION

From

The Secretary to the Government of Mysore,
L...G. Department

To

The Deputy Commissioner,
Kolar District,
K o l a r.

Sir, Subject:- Inclusion of Tamarind and mangoes in Schedule II to the Mysore Town Municipalities Act, 1951.

With reference to the letter no.he...C.14-2/51-52 dated the 22nd June 1952, on the above subject, received from the President, Town Municipal Council, Srinivaspur, I am directed to state that in respect of other goods not specified in Schedule II to the Mysore Town Municipalities Act, 1951, there is no bar to the levy of octroi since the above schedule prescribes only maximum rates for animals and goods mentioned therein but it cannot be taken to mean that under Section 61(iv) of the said Act, a municipality cannot levy octroi on other articles not mentioned in Schedule II.

Yours faithfully,

Md. A. S. Khaleel,
Secretary to Government,
L... Department.

Memo No.L. 9080-90

Copy of the above is forwarded to :
(1) The Commissioner for Local Self-Government in Mysore,
(2) " Deputy Commissioners of other Districts,
(3) " Controller, State Accounts Department, Bangalore,
for information and useful.

(V. Thimmaiah)
for Secretary to Government,
L. .G. Department.

LRS.11.6/9.

G R S App F VI—G 2]

SUBJECT Inclusion of Jamakhand and Kanguvas in Schedule II to the Mysore Town Municipalities Act, 1951

Diary No of letter replied to 2334/M

General and Revenue Secretariat

( )

16/9/52 *195*

Date of issue 195

Signed by

May this be—
(i) printed?
(ii) treated as a standin order?
(iii) published in the Gazette En lish Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette Kannada Part?

K 9079
11-9-52 M
Section
Serial No 92 SY
File No 198

~~Proceedings of the Government of Mysore~~

To The D C Kolar Dist

~~Read~~

Sir,

With reference to your the letter No MLC 14-2/51-52 of the 22nd June 1952 on the above subject received from the Pdt D M d Sambasapa, I am directed to state that in respect of other goods not specified in Schedule II to the Mysore Town Municipalities Act, 1951, there is no bar to the levy of octroi, ~~at any rate~~ since the above Schedule prescribes only maximum

PTO.

Srinivaspur Town Municipality

No MLC 14-2 / 5283 Encls

Date 22-6-1952

From

The President
Town Municipal Council
SRINIVASPUR

To

The Secretary
Local Self Government-department-
Government of Mysore
BANGALORE

Sub — Inclusion of Tamarind and Mangoes in the list of octroiable articles under schedule II of the Municipal Act-XXII of 1951

Sir

I have the honour to invite your kind Reference to your Memo No 2695) MZ 92-51-78 of 4-10-51, stating that it was too early to amend the Town Municipalities Act-1951 in Reply to my Request that the said Two items of articles must be included in the Schedule of articles vide my No MLC 14/51-52 dated The 26th August-51, I wish to State that at least by way of an amendment, these Two Articles are not included in the list of octroiable Articles the Municipality will be deprived of a fair income of nearly Rs 2000/ per year, which means a heavy loss for smaller Municipality of this Type More Specially under the present financial Crisis with increasing the expenditure and decreasing income the administration becomes very difficult to Run

The Municipal Council having Considered all these has Resolved to Request the Government kindly to enlist the said two articles in the list.

OFFICE OF THE DEPUTY COMMISSIONER
25 JUN 1952
KOLAR DISTRICT

The copy of this Resolution No IX of 18 6 52 4
enclosed for kind perusal

These are sanctioned items in force, which have been for no Reason omitted in the Schedule II of the New Act In my humble opinion this is a most fit case for inclusion in the list of octroiable articles at least by way of an amendment

As such I Request that the Generous Peoples Government may kindly be recommended for Causing the inclusion of the said two articles in the list in the best interest of the Municipality

MLC 14-4-52-53
Enclosures

Yours faithfully
Sd/ B L Nalayanaswamy
PRESIDENT

Copy forwarded to the Deputy Commissioner Kolar District-Kolar for information to this office letter No MLC 14-1/57-52 of 28 8 53

B K Gundappa
PRESIDENT
Town Municipal Council
SRINIVASAPUR

Dtd 23/8

An extract from the adjourned general meeting proceedings of Srinivasapur Town Municipal held on 18-6-52 at 8.30 AM in the Municipal Office Srinivasapur

No of Councillors present 9 No of Councillors absent 6 Total 15

	Subject	Resolution
IX	ಜಾರಿಯಾಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ಆಫ್ಟೆನ ಷೆಡ್ಯೂಲ್ II ರ ಪ್ರಕಾರ ಅಂಚು ಕಿಲ್ಲಿಂಗಿ ಕೆಲಸಕ್ಕೆ ವಿಧಿಸಬಹುದಾದ ಪದಾರ್ಥಗಳ ಮೇಲೆ ಕೆಲವು ಮಾರ್ಪಾಟನ್ನು ಕಂಡಿದ್ದು, ಈ ಪದಾರ್ಥಗಳು ಬಿಟ್ಟು ಹೋಗಿರುವುದರಿಂದ ಇವುಗಳನ್ನು ಸೇರಿಸಲು ಸಲ್ಲಿಸಲಾದವರನ್ನು ಪ್ರಾರ್ಥಿಸುವಿಕೆ ಇದೆ. Copy"	ಈ ವರದಿ ಪದಾರ್ಥಗಳನ್ನು ಪಟ್ಟಿ ಮಾಡಿ ಸೇರಿಸಲ್ಪಡಬೇಕಾಗಿದ್ದು ಕುರಿತು ಅನಕ್ಷರಾಇವು ಮೇರಿಸಲ್ಪಡಬೇಕಾದರೆ ಬಹುತೇಕರು ಚರ್ಚಿಸಿದಂತೆ ಕಿಲ್ಲಿಂಗಿ ಅಧಿಕೃತವಾಗಿ ಕೂಲಿಯ ಕೆಲಸವಾಗುತ್ತೆ ಆದರಿಂದ ಪಟ್ಟಿ ಮಾಡಿ, ಈ ವರದಿಯ ಪದಾರ್ಥಗಳನ್ನು ಸೇರಿಸಬೇಕೆಂಬ ನಿರ್ಣಯವನ್ನು ಪ್ರಸ್ತಾಪಿಸಬೇಕೆಂದು ಕೋರಿಕೊಂಡಿದೆ ಎಂದು ತಿಳಿಸಿದರು. Sd/- B L Narayanswamy PRESIDENT 18/6/52

B L Gundappa
President
Town Municipal Council
Srinivasapur

18/6/52 226